

## EXHIBIT 8

-Joanne Creedon

---

**From:** Lee Carl Bromberg  
**Sent:** Monday, July 25, 2005 6:56 PM  
**To:** 'Frank, Robert S.'  
**Cc:** Erik Belt; Lisa Fleming  
**Subject:** RE: Neutral Expert Selection

Dear Bob:

Your stated unwillingness to jointly contact Mr. Ravishankar does not reflect the spirit of cooperation in choosing a mutually agreeable neutral expert that the Court requires. Our information is that Mike Phillips does not know him and we know of no basis for the suggestion in your e-mail response (attached below) and in your follow-up voice mail to me this afternoon that Mr. Ravishankar has unspecified and vague connections to Mr. Phillips and/or ScanSoft. We identified Mr. Ravishankar through a search process that was independent of any ScanSoft personnel. We believe we should jointly contact him.

Professor Woodland is unacceptable to ScanSoft because, as he told us in our joint telephone conference with him last week, he knows at least 5 key employees at VST, all former Dragon/L & H scientists, including two of the four individual defendants (Messrs. Roth and Gillick). He has heard about this case and knows some of the circumstances giving rise to this litigation. In addition, he has a close relationship with another current VST employee, his grad student, Gunnar Ezermann, who still owes him a Ph.D. dissertation. Finally, we are troubled by some of his statements about the industry giant acquiring smaller companies like Dragon and Nuance. Accordingly, I suggest we cancel the scheduled follow-up call with Professor Woodland.

The other names on your list are objectionable to ScanSoft for the reasons we stated in court last week, namely, their connections with Mr. Cohen and/or DARPA are too close, and, in any event, they likely do not have the requisite computer programming skills. As for the German expert, the Court has expressed her preference for a native English speaker. We are of course willing to consider other suitable candidates proposed by you.

I suggest, therefore, that in the spirit of cooperation, you join me on a phone call to Mr. Ravishankar in which we can both test his qualifications and his neutrality. I am available all week to make this call.

In addition, since the court hearing last week, we have been attempting to identify other potential experts. To that end, we have identified Professor Jeff Bilmes at the University of Washington. Here is a link to his listing on the University's website so that you can learn about him: <http://www.ee.washington.edu/faculty/bilmes> I suggest that we also call him jointly to test his suitability. I also expect to identify one or two other names, if possible, later this week. We have not contacted either Mr. Ravishankar or Prof. Bilmes.

We believe that these other candidates may work out better, given their closer distance to Boston, and will give us both better prospect of controlling the cost of this litigation.

Please let me know when you are available to join me in calling these candidates.

Sincerely,

Lee

-----Original Message-----

**From:** Frank, Robert S. [mailto:RFrank@choate.com]  
**Sent:** Friday, July 22, 2005 4:28 PM  
**To:** Lee Carl Bromberg  
**Subject:** RE: Neutral Expert Selection

I will talk to my client, but my inclination is to say that ScanSoft had plenty of opportunity to suggest names

8/3/2005

and chose to identify only people with whom Mike Phillips has a personal relationship. Why should I trust this suggestion?

Bob.

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]

**Sent:** Friday, July 22, 2005 3:41 PM

**To:** Frank, Robert S.

**Cc:** Scansoft 509

**Subject:** Neutral Expert Selection

Dear Bob,

Following up on your voice mail to me today, I agree with your thinking that perhaps the rate we suggested to Professor Woodland is on the low side. We would, however, like to confer with our client in advance of further discussion with Professor Woodland next Tuesday.

In the meantime, our conference call with Professor Woodland raised some issues with us in the context of Professor Woodland's relationships with some of the individuals involved in the lawsuit and his knowledge of the litigation itself. As a result, we are carefully considering his selection and we think it prudent to contact one or two other candidates in order to have a similar discussion. We would like to propose the name of Mosur K Ravishankar, Senior Systems Scientist at Carnegie Mellon University. Mr. Ravishankar's name has been suggested to us by a number of individuals in the field of speech recognition as someone who may possess the requisite speech recognition and source code expertise for the task at hand. If you are amenable, we could follow the same process and draft an email to him to gauge his interest in the assignment. The link below provides some publicly available information about Mr. Ravishankar. I look forward to receiving your thoughts. <http://www-2.cs.cmu.edu/~rkm/>

Lee

Lee Carl Bromberg

Bromberg & Sunstein LLP

Attorneys at Law

125 Summer Street

Boston, MA 02110-1618

Tel: (617) 443-9292

Fax: (617) 443-0004

This message is intended only for the addressee(s), and may contain information that is privileged and confidential. If the recipient of this message is not an addressee, please notify us immediately by telephone.

<<Lee Carl Bromberg.vcf>>

8/3/2005

We're moving! Effective August 01, 2005, our new address will be:

Choate, Hall & Stewart LLP

Two International Place

Boston, MA 02110

(p) 617 248 5000

(f) 617 248 4000

[www.choate.com](http://www.choate.com)

Look for our announcement in the mail.

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

## EXHIBIT 9

**Joanne Creedon**

---

**From:** Frank, Robert S. [RFrank@choate.com]  
**Sent:** Friday, July 22, 2005 4:28 PM  
**To:** Lee Carl Bromberg  
**Subject:** RE: Neutral Expert Selection

I will talk to my client, but my inclination is to say that ScanSoft had plenty of opportunity to suggest names and chose to identify only people with whom Mike Phillips has a personal relationship. Why should I trust this suggestion?

Bob.

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]  
**Sent:** Friday, July 22, 2005 3:41 PM  
**To:** Frank, Robert S.  
**Cc:** Scansoft 509  
**Subject:** Neutral Expert Selection

Dear Bob,

Following up on your voice mail to me today, I agree with your thinking that perhaps the rate we suggested to Professor Woodland is on the low side. We would, however, like to confer with our client in advance of further discussion with Professor Woodland next Tuesday.

In the meantime, our conference call with Professor Woodland raised some issues with us in the context of Professor Woodland's relationships with some of the individuals involved in the lawsuit and his knowledge of the litigation itself. As a result, we are carefully considering his selection and we think it prudent to contact one or two other candidates in order to have a similar discussion. We would like to propose the name of Mosur K Ravishankar, Senior Systems Scientist at Carnegie Mellon University. Mr. Ravishankar's name has been suggested to us by a number of individuals in the field of speech recognition as someone who may possess the requisite speech recognition and source code expertise for the task at hand. If you are amenable, we could follow the same process and draft an email to him to gauge his interest in the assignment. The link below provides some publicly available information about Mr. Ravishankar. I look forward to receiving your thoughts. <http://www-2.cs.cmu.edu/~rkm/>

Lee

Lee Carl Bromberg

Bromberg & Sunstein LLP  
Attorneys at Law  
125 Summer Street  
Boston, MA 02110-1618  
Tel: (617) 443-9292  
Fax: (617) 443-0004

This message is intended only for the addressee(s), and may contain information that is privileged and

8/3/2005

confidential. If the recipient of this message is not an addressee, please notify us immediately by telephone.

<<Lee Carl Bromberg.vcf>>

---

We're moving! Effective August 01, 2005, our new address will be:

Choate, Hall & Stewart LLP

Two International Place

Boston, MA 02110

(p) 617 248 5000

(f) 617 248 4000

[www.choate.com](http://www.choate.com)

Look for our announcement in the mail.

---

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

8/3/2005

## EXHIBIT 10



**Joanne Creedon**

---

**From:** Murphy, Marilyn [MMurphy@choate.com] on behalf of Frank, Robert S. [RFrank@choate.com]  
**Sent:** Tuesday, July 26, 2005 10:38 AM  
**To:** Lee Carl Bromberg  
**Subject:** RE: Neutral Expert Selection

This responds to your email of last evening.

First, we agreed upon a procedure for the selection of experts. Each side was to propose a list to the other. If there were a match, that person would be selected. If there were no match, the matter would be put to Judge Saris for her decision. We offered an additional procedure that would have allowed each party to strike a subset of the names on the other's list before it was submitted to the Court. You declined that offer. ScanSoft choose to nominate people with whom it had a direct and clear relationship. As a result, the Judge rejected ScanSoft's proposed names and offered you the opportunity to pick anyone you liked on Voice Signal's list. You selected Professor Woodland.

Second, the answers that Professor Woodland gave to the questions that we both asked revealed, that like anyone else in this field, he has acquaintances with both ScanSoft and Voice Signal personnel. He is aware of our case, but has not had substantive discussion about it with anyone. He said the very opposite of what you state in your e-mail regarding the fact that ScanSoft is a large company and Voice Signal is a small company. In response to your question, he said that this fact was a matter of indifference to him and that he recognized that consolidation had occurred, would have to occur, in the speech recognition field.

Third, in the brief time available, our checks revealed relationships between Carnegie Melon and ScanSoft.

Fourth, I have said before, you are free to pick anyone else on Voice Signal's list, however, you are not, in our view, free to start nominating people two weeks after nominations were to be exchanged.

I plan to contact the Court in an effort to arrange a brief early conference on this subject. At the conference, I plan to suggest that Judge Saris contact Professor Woodland directly and that she judge his impartiality for herself.

Bob

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]  
**Sent:** Monday, July 25, 2005 7:08 PM  
**To:** Frank, Robert S.  
**Subject:** RE: Neutral Expert Selection

That we should cancel it.

-----Original Message-----

**From:** Frank, Robert S. [mailto:RFrank@choate.com]  
**Sent:** Monday, July 25, 2005 7:04 PM  
**To:** Lee Carl Bromberg  
**Subject:** RE: Neutral Expert Selection

What is your position regarding the phone call with Prof. Woodland tomorrow morning? Bob.

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]  
**Sent:** Monday, July 25, 2005 6:56 PM

8/3/2005

**To:** Frank, Robert S.  
**Cc:** Erik Belt; Lisa Fleming  
**Subject:** RE: Neutral Expert Selection

Dear Bob:

Your stated unwillingness to jointly contact Mr. Ravishankar does not reflect the spirit of cooperation in choosing a mutually agreeable neutral expert that the Court requires. Our information is that Mike Phillips does not know him and we know of no basis for the suggestion in your e-mail response (attached below) and in your follow-up voice mail to me this afternoon that Mr. Ravishankar has unspecified and vague connections to Mr. Phillips and/or ScanSoft. We identified Mr. Ravishankar through a search process that was independent of any ScanSoft personnel. We believe we should jointly contact him.

Professor Woodland is unacceptable to ScanSoft because, as he told us in our joint telephone conference with him last week, he knows at least 5 key employees at VST, all former Dragon/L & H scientists, including two of the four individual defendants (Messrs. Roth and Gillick). He has heard about this case and knows some of the circumstances giving rise to this litigation. In addition, he has a close relationship with another current VST employee, his grad student, Gunnar Ezermann, who still owes him a Ph.D. dissertation. Finally, we are troubled by some of his statements about the industry giant acquiring smaller companies like Dragon and Nuance. Accordingly, I suggest we cancel the scheduled follow-up call with Professor Woodland.

The other names on your list are objectionable to ScanSoft for the reasons we stated in court last week, namely, their connections with Mr. Cohen and/or DARPA are too close, and, in any event, they likely do not have the requisite computer programming skills. As for the German expert, the Court has expressed her preference for a native English speaker. We are of course willing to consider other suitable candidates proposed by you.

I suggest, therefore, that in the spirit of cooperation, you join me on a phone call to Mr. Ravishankar in which we can both test his qualifications and his neutrality. I am available all week to make this call.

In addition, since the court hearing last week, we have been attempting to identify other potential experts. To that end, we have identified Professor Jeff Bilmes at the University of Washington. Here is a link to his listing on the University's website so that you can learn about him: <http://www.ee.washington.edu/faculty/bilmes> I suggest that we also call him jointly to test his suitability. I also expect to identify one or two other names, if possible, later this week. We have not contacted either Mr. Ravishankar or Prof. Bilmes.

We believe that these other candidates may work out better, given their closer distance to Boston, and will give us both better prospect of controlling the cost of this litigation.

Please let me know when you are available to join me in calling these candidates.

Sincerely,

Lee

-----Original Message-----

**From:** Frank, Robert S. [mailto:RFrank@choate.com]  
**Sent:** Friday, July 22, 2005 4:28 PM  
**To:** Lee Carl Bromberg  
**Subject:** RE: Neutral Expert Selection

I will talk to my client, but my inclination is to say that ScanSoft had plenty of opportunity to suggest names and chose to identify only people with whom Mike Phillips has a personal relationship. Why should I trust this suggestion?

Bob.

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]  
**Sent:** Friday, July 22, 2005 3:41 PM

8/3/2005

**To:** Frank, Robert S.  
**Cc:** Scansoft 509  
**Subject:** Neutral Expert Selection

Dear Bob,

Following up on your voice mail to me today, I agree with your thinking that perhaps the rate we suggested to Professor Woodland is on the low side. We would, however, like to confer with our client in advance of further discussion with Professor Woodland next Tuesday.

In the meantime, our conference call with Professor Woodland raised some issues with us in the context of Professor Woodland's relationships with some of the individuals involved in the lawsuit and his knowledge of the litigation itself. As a result, we are carefully considering his selection and we think it prudent to contact one or two other candidates in order to have a similar discussion. We would like to propose the name of Mosur K Ravishankar, Senior Systems Scientist at Carnegie Mellon University. Mr. Ravishankar's name has been suggested to us by a number of individuals in the field of speech recognition as someone who may possess the requisite speech recognition and source code expertise for the task at hand. If you are amenable, we could follow the same process and draft an email to him to gauge his interest in the assignment. The link below provides some publicly available information about Mr. Ravishankar. I look forward to receiving your thoughts. <http://www-2.cs.cmu.edu/~rkm/>

Lee

Lee Carl Bromberg

Bromberg & Sunstein LLP  
Attorneys at Law  
125 Summer Street  
Boston, MA 02110-1618  
Tel: (617) 443-9292  
Fax: (617) 443-0004

This message is intended only for the addressee(s), and may contain information that is privileged and confidential. If the recipient of this message is not an addressee, please notify us immediately by telephone.

<<Lee Carl Bromberg.vcf>>

---

We're moving! Effective August 01, 2005, our new address will be:  
Choate, Hall & Stewart LLP  
Two International Place  
Boston, MA 02110

8/3/2005

(p) 617 248 5000

(f) 617 248 4000

[www.choate.com](http://www.choate.com)

Look for our announcement in the mail.

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

We're moving! Effective August 01, 2005, our new address will be:

Choate, Hall & Stewart LLP

Two International Place

Boston, MA 02110

(p) 617 248 5000

(f) 617 248 4000

[www.choate.com](http://www.choate.com)

Look for our announcement in the mail.

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

---

We're moving! Effective August 01, 2005, our new address will be:  
Choate, Hall & Stewart LLP  
Two International Place  
Boston, MA 02110  
(p) 617 248 5000  
(f) 617 248 4000  
[www.choate.com](http://www.choate.com)  
Look for our announcement in the mail.

---

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

8/3/2005

## EXHIBIT 11

**Joanne Creedon**

---

**From:** Lee Carl Bromberg  
**Sent:** Tuesday, July 26, 2005 2:29 PM  
**To:** 'Frank, Robert S.'  
**Cc:** Lisa Fleming; Erik Belt  
**Subject:** RE: Neutral Expert Selection  
**Attachments:** Lee Carl Bromberg.vcf

Dear Bob,

You are correct that Judge Saris offered ScanSoft the opportunity to select a name on VST's list and contact him. In response to Judge Saris's suggestion and in Court on July 18, ScanSoft agreed to contact one of the names on VST's list, Professor Woodland, but rejected the other names on VST's list because of either their ties with VST or their apparent lack of source code programming and archiving expertise - a key requirement to the task at hand.

At the risk of repeating myself, and for the reasons I have enumerated to you below and in our telephone call today, ScanSoft finds Professor Woodland an unacceptable candidate to serve as a neutral expert. Surely you would agree that at the very least, his friendship with a number of key VST employees who were formerly Dragon/L & H employees, his previous knowledge of the case, and the fact that Professor Woodland's present graduate student/protege also serves as a VST employee, all pose legitimate concerns about asking Professor Woodland to determine whether VST and its key employees have engaged in illegal conduct.

Your proposal to ask Judge Saris to contact Professor Woodland herself is objectionable to ScanSoft, because we believe our stated concerns about him are entitled to be respected in a cooperative process which seeks to find a neutral expert acceptable to both sides. In addition it improperly imposes upon the Court a task that counsel ought to be able to work out themselves.

I have offered to jointly contact another name on VST's list, Hermann Ney, although I understood the Court's preference for a native English speaker. Putting Dr. Ney's candidacy aside, both parties it seems to me have exercised their right to reject the other's names because of concerns about assuring impartiality.

To move forward, I have offered you the names of two other individuals who may very well turn out to be acceptable neutral experts because we may find that they have no material relationships with either party.

You have provided no information to suggest that there is any significant relationship between ScanSoft and Dr. Ravishankar and therefore no basis for not jointly contacting Dr. Ravishankar and conducting a preliminary interview. Perhaps that conversation will shed light on whether Dr. Ravishankar is an acceptable candidate. Likewise, I see no reason why you would be unwilling to contact Dr. Bilmes at Washington. Surely these candidates, either of whom may solve our problem, ought to be contacted. Please let me know whether you are willing to schedule a call to either or both Dr. Ravishankar or Dr. Bilmes, and whether you have other names of possible candidates to pursue.

Lee

8/3/2005

Lee Carl Bromberg

Bromberg & Sunstein LLP  
Attorneys at Law  
125 Summer Street  
Boston, MA 02110-1618  
Tel: (617) 443-9292  
Fax: (617) 443-0004

This message is intended only for the addressee(s), and may contain information that is privileged and confidential. If the recipient of this message is not an addressee, please notify us immediately by telephone.

-----Original Message-----

**From:** Murphy, Marilyn [mailto:MMurphy@choate.com] **On Behalf Of** Frank, Robert S.  
**Sent:** Tuesday, July 26, 2005 10:38 AM  
**To:** Lee Carl Bromberg  
**Subject:** RE: Neutral Expert Selection

This responds to your email of last evening.

First, we agreed upon a procedure for the selection of experts. Each side was to propose a list to the other. If there were a match, that person would be selected. If there were no match, the matter would be put to Judge Saris for her decision. We offered an additional procedure that would have allowed each party to strike a subset of the names on the other's list before it was submitted to the Court. You declined that offer. ScanSoft choose to nominate people with whom it had a direct and clear relationship. As a result, the Judge rejected ScanSoft's proposed names and offered you the opportunity to pick anyone you liked on Voice Signal's list. You selected Professor Woodland.

Second, the answers that Professor Woodland gave to the questions that we both asked revealed, that like anyone else in this field, he has acquaintances with both ScanSoft and Voice Signal personnel. He is aware of our case, but has not had substantive discussion about it with anyone. He said the very opposite of what you state in your e-mail regarding the fact that ScanSoft is a large company and Voice Signal is a small company. In response to your question, he said that this fact was a matter of indifference to him and that he recognized that consolidation had occurred, would have to occur, in the speech recognition field.

Third, in the brief time available, our checks revealed relationships between Carnegie Mellon and ScanSoft.

Fourth, I have said before, you are free to pick anyone else on Voice Signal's list, however, you are not, in our view, free to start nominating people two weeks after nominations were to be exchanged.

I plan to contact the Court in an effort to arrange a brief early conference on this subject. At the conference, I plan to suggest that Judge Saris contact Professor Woodland directly and that she judge his impartiality for herself.

Bob

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]  
**Sent:** Monday, July 25, 2005 7:08 PM

8/3/2005



**To:** Frank, Robert S.

**Subject:** RE: Neutral Expert Selection

That we should cancel it.

-----Original Message-----

**From:** Frank, Robert S. [mailto:RFrank@choate.com]

**Sent:** Monday, July 25, 2005 7:04 PM

**To:** Lee Carl Bromberg

**Subject:** RE: Neutral Expert Selection

What is your position regarding the phone call with Prof. Woodland tomorrow morning?  
Bob.

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]

**Sent:** Monday, July 25, 2005 6:56 PM

**To:** Frank, Robert S.

**Cc:** Erik Belt; Lisa Fleming

**Subject:** RE: Neutral Expert Selection

Dear Bob:

Your stated unwillingness to jointly contact Mr. Ravishankar does not reflect the spirit of cooperation in choosing a mutually agreeable neutral expert that the Court requires. Our information is that Mike Phillips does not know him and we know of no basis for the suggestion in your e-mail response (attached below) and in your follow-up voice mail to me this afternoon that Mr. Ravishankar has unspecified and vague connections to Mr. Phillips and/or ScanSoft. We identified Mr. Ravishankar through a search process that was independent of any ScanSoft personnel. We believe we should jointly contact him.

Professor Woodland is unacceptable to ScanSoft because, as he told us in our joint telephone conference with him last week, he knows at least 5 key employees at VST, all former Dragon/L & H scientists, including two of the four individual defendants (Messrs. Roth and Gillick). He has heard about this case and knows some of the circumstances giving rise to this litigation. In addition, he has a close relationship with another current VST employee, his grad student, Gunnar Ezermann, who still owes him a Ph.D. dissertation. Finally, we are troubled by some of his statements about the industry giant acquiring smaller companies like Dragon and Nuance. Accordingly, I suggest we cancel the scheduled follow-up call with Professor Woodland.

The other names on your list are objectionable to ScanSoft for the reasons we stated in court last week, namely, their connections with Mr. Cohen and/or DARPA are too close, and, in any event, they likely do not have the requisite computer programming skills. As for the German expert, the Court has expressed her preference for a native English speaker. We are of course willing to consider other suitable candidates proposed by you.

I suggest, therefore, that in the spirit of cooperation, you join me on a phone call to Mr. Ravishankar in which we can both test his qualifications and his neutrality. I am available all week to make this call.

In addition, since the court hearing last week, we have been attempting to identify other potential experts. To that end, we have identified Professor Jeff Bilmes at the University of Washington. Here is a link to his listing on the University's website so that you can learn about him: <http://www.ee.washington.edu/faculty/bilmes> I suggest that we also call him jointly to test his suitability. I also expect to identify one or two other names, if possible, later this week. We have not contacted either Mr. Ravishankar or Prof. Bilmes.

We believe that these other candidates may work out better, given their closer distance to Boston, and will give us both better prospect of controlling the cost of this litigation.

Please let me know when you are available to join me in calling these candidates.

8/3/2005

Sincerely,

Lee

-----Original Message-----

**From:** Frank, Robert S. [mailto:RFrank@choate.com]

**Sent:** Friday, July 22, 2005 4:28 PM

**To:** Lee Carl Bromberg

**Subject:** RE: Neutral Expert Selection

I will talk to my client, but my inclination is to say that ScanSoft had plenty of opportunity to suggest names and chose to identify only people with whom Mike Phillips has a personal relationship. Why should I trust this suggestion?

Bob.

-----Original Message-----

**From:** Lee Carl Bromberg [mailto:LBromberg@bromsun.com]

**Sent:** Friday, July 22, 2005 3:41 PM

**To:** Frank, Robert S.

**Cc:** Scansoft 509

**Subject:** Neutral Expert Selection

Dear Bob,

Following up on your voice mail to me today, I agree with your thinking that perhaps the rate we suggested to Professor Woodland is on the low side. We would, however, like to confer with our client in advance of further discussion with Professor Woodland next Tuesday.

In the meantime, our conference call with Professor Woodland raised some issues with us in the context of Professor Woodland's relationships with some of the individuals involved in the lawsuit and his knowledge of the litigation itself. As a result, we are carefully considering his selection and we think it prudent to contact one or two other candidates in order to have a similar discussion. We would like to propose the name of Mosur K Ravishankar, Senior Systems Scientist at Carnegie Mellon University. Mr. Ravishankar's name has been suggested to us by a number of individuals in the field of speech recognition as someone who may possess the requisite speech recognition and source code expertise for the task at hand. If you are amenable, we could follow the same process and draft an email to him to gauge his interest in the assignment. The link below provides some publicly available information about Mr. Ravishankar. I look forward to receiving your thoughts. <http://www-2.cs.cmu.edu/~rkm/>

Lee

Lee Carl Bromberg

Bromberg & Sunstein LLP  
Attorneys at Law  
125 Summer Street  
Boston, MA 02110-1618  
Tel: (617) 443-9292

8/3/2005

Fax: (617) 443-0004

This message is intended only for the addressee(s), and may contain information that is privileged and confidential. If the recipient of this message is not an addressee, please notify us immediately by telephone.

<<Lee Carl Bromberg.vcf>>

---

We're moving! Effective August 01, 2005, our new address will be:  
Choate, Hall & Stewart LLP  
Two International Place  
Boston, MA 02110  
(p) 617 248 5000  
(f) 617 248 4000  
[www.choate.com](http://www.choate.com)  
Look for our announcement in the mail.

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

---

We're moving! Effective August 01, 2005, our new address will be:  
Choate, Hall & Stewart LLP  
Two International Place  
Boston, MA 02110  
(p) 617 248 5000  
(f) 617 248 4000  
[www.choate.com](http://www.choate.com)  
Look for our announcement in the mail.

8/3/2005

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

---

We're moving! Effective August 01, 2005, our new address will be:

Choate, Hall & Stewart LLP

Two International Place

Boston, MA 02110

(p) 617 248 5000

(f) 617 248 4000

[www.choate.com](http://www.choate.com)

Look for our announcement in the mail.

---

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

---

## EXHIBIT 12

**Joanne Creedon**

---

**From:** Joanne Creedon  
**Sent:** Wednesday, August 10, 2005 4:58 PM  
**To:** 'Frank, Robert S.'  
**Subject:** Neutral Expert Selection

Dear Bob,

You will recall that during our hearing with Judge Saris on July 18, the court was disappointed we could not reach agreement on the selection of a neutral expert and strongly suggested that we confer and make a priority list of acceptable candidates to serve as the court's independent expert. (See 7/18/05 Hearing Transcript at pages 6, 15). To that end, we agreed to contact VST's proposed candidate, Professor Woodland. After our discussion with Dr. Woodland, we immediately informed you that we had concerns about Professor Woodland's ability to serve as a neutral expert with impartiality. On July 22 and again on July 26, I offered alternative candidates, Dr. Ravishankar at Carnegie Mellon and Dr. Bilmes at Washington University, and suggested we contact them jointly to discuss whether either may be acceptable candidates to serve as the court's independent expert in our case. I also proposed that we jointly contact a candidate VST proposed, Professor Ney in Germany. I have not received a response to my communications.

As you know, we are scheduled to appear before Judge Saris on Monday, August 15. Other than Dr. Ney, the parties have rejected the list of candidates proposed by the other because of concerns about assuring impartiality. As an aside, in addition to our concerns about Professor Woodland which are detailed in my July 26 email, we have learned that VST's Chief Technology Officer Jordan Cohen has strong ties to Johns Hopkins University and UCAL, Berkeley which make these institutions unacceptable sites from which to find a neutral expert.

That is why I proposed alternative names for your consideration. I also welcome other names VST proposes in order to move this process forward before our hearing on Monday. At a minimum, I propose we contact Dr. Ravishankar and Dr. Bilmes this week.

Please do me the courtesy of a response to my communications.

Lee

Lee Carl Bromberg  
Bromberg & Sunstein LLP  
Attorneys at Law  
125 Summer Street  
Boston, MA 02110-1618  
Tel: (617) 443-9292  
Fax: (617) 443-0004

This message is intended only for the addressee(s), and may contain information that is privileged and confidential. If the recipient of this message is not an addressee, please notify us immediately by telephone.

## EXHIBIT 13

**Joanne Creedon**

---

**From:** Murphy, Marilyn [MMurphy@choate.com] on behalf of Frank, Robert S. [RFrank@choate.com]  
**Sent:** Thursday, August 11, 2005 2:00 PM  
**To:** Lee Carl Bromberg; Joanne Creedon  
**Subject:** RE: Neutral Expert Selection

Dear Lee:

I respectfully disagree with your e-mail.

As I have said before, Voice Signal and ScanSoft agreed on an expert selection procedure. The procedure was heavily negotiated. Agreement was reached only because Voice Signal acceded to ScanSoft's demands. ScanSoft rejected the idea of longer lists, rejected a procedure that would allow each party to strike names from the other's lists, and rejected Voice Signal's proposal that selection criteria be adopted. Its position was inflexible, and was expressed in hostile terms. The agreed procedure, which was ScanSoft's proposed procedure, involved a simultaneous exchange of lists of names of proposed court-appointed experts, the selection of an expert if that expert's name appeared on both lists, and a subsequent selection by the court from those lists if there were no overlap of the names on the lists.

ScanSoft chose to identify as "neutral" experts three people in the same organization, which organization, it knew, had close ties to ScanSoft. It made the tactical decision not to identify any other potential expert.

Judge Saris concluded that she would not pick an expert off of ScanSoft's list because the relationship between ScanSoft and its nominees was too close. She gave you the opportunity to pick anyone off Voice Signal's list. You chose Professor Woodland. We interviewed Professor Woodland. At the end of the conversation both sides seemed satisfied that he was an appropriate choice. He had the required expertise and his contacts with the parties were limited and balanced. (As we acknowledged, the field is small. Any expert will have had contacts with both sides.) Some days later, you expressed doubts about Professor Woodland's potential impartiality, based, in my view, on mischaracterizations of our conversation with him.

In the circumstances, we believe that Judge Saris should contact Professor Woodland and make her own assessment of his competence and impartiality. If she is dissatisfied (and we think she will not be) we are prepared to interview Professor Ney. We have in mind Judge Saris' prior statement of preference regarding Professors Woodland and Ney. And, candidly, we think that ScanSoft will find some reason to pronounce itself dissatisfied with Professor Ney, when the real reason is only that he was not nominated by ScanSoft.

We do not agree that ScanSoft is free to depart from the expert selection procedures upon which ScanSoft insisted, and the parties agreed. We do not believe that ScanSoft should have a second opportunity to identify experts because it now regrets a tactical choice that it made. We do not believe that either party has a veto over the selection of experts (a procedure that ScanSoft explicitly rejected). And, we think the process must come to a conclusion.

Bob

-----Original Message-----

8/11/2005



**From:** Joanne Creedon [mailto:Jcreedon@bromsun.com]  
**Sent:** Wednesday, August 10, 2005 4:58 PM  
**To:** Frank, Robert S.  
**Subject:** Neutral Expert Selection

Dear Bob,

You will recall that during our hearing with Judge Saris on July 18, the court was disappointed we could not reach agreement on the selection of a neutral expert and strongly suggested that we confer and make a priority list of acceptable candidates to serve as the court's independent expert. (See 7/18/05 Hearing Transcript at pages 6, 15). To that end, we agreed to contact VST's proposed candidate, Professor Woodland. After our discussion with Dr. Woodland, we immediately informed you that we had concerns about Professor Woodland's ability to serve as a neutral expert with impartiality. On July 22 and again on July 26, I offered alternative candidates, Dr. Ravishankar at Carnegie Mellon and Dr. Bilmes at Washington University, and suggested we contact them jointly to discuss whether either may be acceptable candidates to serve as the court's independent expert in our case. I also proposed that we jointly contact a candidate VST proposed, Professor Ney in Germany. I have not received a response to my communications.

As you know, we are scheduled to appear before Judge Saris on Monday, August 15. Other than Dr. Ney, the parties have rejected the list of candidates proposed by the other because of concerns about assuring impartiality. As an aside, in addition to our concerns about Professor Woodland which are detailed in my July 26 email, we have learned that VST's Chief Technology Officer Jordan Cohen has strong ties to Johns Hopkins University and UCAL, Berkeley which make these institutions unacceptable sites from which to find a neutral expert.

That is why I proposed alternative names for your consideration. I also welcome other names VST proposes in order to move this process forward before our hearing on Monday. At a minimum, I propose we contact Dr. Ravishankar and Dr. Bilmes this week.

Please do me the courtesy of a response to my communications.

Lee

Lee Carl Bromberg  
Bromberg & Sunstein LLP  
Attorneys at Law  
125 Summer Street  
Boston, MA 02110-1618  
Tel: (617) 443-9292  
Fax: (617) 443-0004

This message is intended only for the addressee(s), and may contain information that is privileged and confidential. If the recipient of this message is not an addressee, please notify us immediately by telephone.

---

**Confidentiality Statement:**

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

8/11/2005

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at [www.choate.com](http://www.choate.com)

8/11/2005

## EXHIBIT 14

[SCS Home](#)

[Site Map](#) [Who's Who](#) / [Contact Info](#)

Car

## SCHOOL OF COMPUTER

NEWS

[Releases](#)  
[Calendar](#)  
[Seminars](#)

[Education](#)  
[Admissions](#)  
[Graduate](#)  
[Undergraduate](#)  
[Courses](#)

[Research](#)  
[Areas](#)  
[Projects](#)  
[Sponsors](#)  
[Publications](#)

[People](#)  
[Faculty](#)  
[Directory](#)  
[Alumni](#)  
[Achievements](#)

[At](#)  
[M](#)  
[D](#)  
[C](#)  
[G](#)

[Computer Science Department](#)

[Robotics Institute](#)

[Institute for Software Research International](#)

[Human Computer Interaction Institute](#)

[Language Technologies Institute](#)

[Center for Automated Learning and Discovery](#)

### People / DIRECTORY

**M Ravishankar**  
Senior Systems Scientist  
Institute For Software Research International  
Carnegie Mellon University  
5000 Forbes Avenue  
Pittsburgh, PA 15213

**Office**  
412-268 1331  
412-683-5348 (fax)

[rkm@cs.cmu.edu](mailto:rkm@cs.cmu.edu)  
[Home Page](#)

[Centers and Projects](#)  
[Women@SCS](#)  
[CServeS](#)  
[Spin-offs](#)  
[CMU Affiliates](#)  
[Graduate student site](#)  
[Undergrad student site](#)  
[Ugrad Research](#)  
[SCS Day](#)  
[CPSR](#)  
[Campus/City](#)  
[West Coast Campus](#)  
[Qatar Campus](#)

[Intranet](#)  
[SCS Help Desk](#)

[Search SCS](#)



Search by **Full Name (First Name Last Name) or (First OR Last Name)**

Search by **Login Name**

Browse by **Last Name**  
A B C D E F G H I J K L M N O P Q R S T U V W X Y Z Complete List

List a **Whole Department**  
CALD . CSD . HCII . ISRI . LTI . RI . SCS Dean's Office


List of **Personnel Group**  
Faculty . Adjunct Faculty . Staff

Find a **Student**  
Graduate Students . SCS Digital Face Board

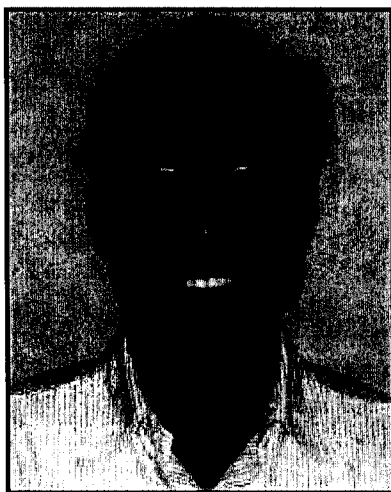
### Other Resources:

[Carnegie Mellon Faculty/Staff Directory..](#)

 [www-team@cs.cmu.edu](mailto:www-team@cs.cmu.edu)

 [SCS Home](#) ■ [ARCHIVES](#)

## Mosur K Ravishankar (*aka* Ravi Mosur)



I'm a Senior Systems Scientist in ISRI, School of Computer Science at Carnegie Mellon University. I am currently involved in the EPCA/RADAR project.

(Contact info at the bottom of this page.)

### Research Interests

My main research interests have been in speech recognition (more generally, in large-scale statistical modeling), and multiprocessor architecture. Currently, I am involved with Project Listen (*aka* the Reading Tutor project).

In speech recognition, I have worked on real-time recognition algorithms for large-vocabulary, speaker-independent systems. As a result of this work, the CMU Sphinx speech group has made the Sphinx-II and Sphinx-3 recognizers available publicly.

Speech recognition has provided a wonderful setting for a wide range of interesting problems in statistics and estimation. This is important to me in its own right, as is speech recognition as an application of this technology.

The technology has matured sufficiently to allow many commercial applications to be developed and deployed. However, it is still brittle. So that any such deployment requires an inordinate amount of handcrafting and fine tuning. I am interested in understanding the sources of the brittleness in speech recognition systems. This includes acoustic modeling as well as language modeling.

With regards to multiprocessor architecture, my main focus has been in designing large-scale cache-coherent shared-memory processor systems. Most recently, I was associated with the Piranha project at the Compaq Western Research Laboratory in Palo Alto, CA. Unfortunately this project was cancelled owing to business reasons. The main features of this project have been presented in ISCA 2000.

### Publications

- Publications in speech recognition and machine learning
- Publications in computer architecture

**And now for something completely different...:**

- Reading, mainly classics and historical: Orwell, Koestler, Vonnegut, Chomsky, Zinn... Z- magazine and Z-net.
  - Sports, mainly racquet sports (tennis, squash, table tennis, badminton, racquetball), and hiking.
  - Arts, mainly photography, sketching, cartoons...
  - Food: Any good food!
- 

## **Contact Information**

**Work:** Mosur Ravishankar

407 S. Craig St, Rm 129

School of Computer Science

Carnegie Mellon University

Pittsburgh, PA 15213

**Phone:** 412-268-1331

**Fax:** 412-268-5576

**E-mail:** [rkm@cs.cmu.edu](mailto:rkm@cs.cmu.edu)

---

## Publications in Speech Recognition and Machine Learning

---

- Chan, A., Sherwani, J., Ravishankar, M. and Rudnicky, A.,  
**Four-Level Categorization Scheme of Fast GMM Computation Techniques in Large Vocabulary Continuous Speech Recognition Systems**  
Intl. Conf. on Speech and Language Processing, Jeju, Korea, Oct. 2004. [postscript](#).
- Tomasic, A. *et al*,  
**Learning to Navigate Web Forms**  
Workshop on Information Integration on the Web (IIWEB 2004), Toronto, Canada, 2004.
- Ravishankar, M., Singh, R., Raj, B. and Stern, R.,  
**The 1999 CMU 10x real time broadcast news transcription system**  
Proc. DARPA Workshop on Automatic Transcription of Broadcast News, Washington DC, May 2000. [pdf](#).
- Bansal, D. and Ravishankar, M.,  
**New Features for Confidence Annotation.**  
Proceedings of ICSLP, Nov-Dec 1998. [postscript](#).
- Ravishankar, M., [Bisiani, R.](#) and [Thayer, E.](#),  
**Sub-Vector Clustering to Improve Memory and Speed Performance of Acoustic Likelihood Computation.**  
Proceedings of Eurospeech, Sep 1997, vol 1, pp 151-154. [postscript](#).
- Ravishankar, M., Eskenazi, M.,  
**Automatic Generation of Context-Dependent Pronunciations.**  
Proceedings of Eurospeech, Sep 1997, vol 5, pp 2467-2470. [postscript](#).
- Ravishankar, M.,  
**Some Results on Search Complexity vs Accuracy.**  
DARPA Speech Recognition Workshop, Feb 1997. [postscript](#), [html](#).
- Ravishankar, M.,  
**Efficient Algorithms for Speech Recognition.**  
Ph.D Thesis, Carnegie Mellon University, May 1996, *Tech Report. CMU-CS-96-143*. [postscript](#), [pdf](#).
- Placeway, P. *et al*,  
**The 1996 Hub-4 Sphinx-3 System.** Proc. Spoken Lang. Tech. Wkshp., Feb 1997.
- Chase, L. *et al*,  
**Improvements in Language, Lexical, and Phonetic Modeling in Sphinx-II.**  
Proc. Spoken Lang. Tech. Wkshp., Jan 1995, pp 60-65.
- Hwang, M. *et al*,  
**Improving Speech Recognition Performance via Phone-Dependent VQ Codebooks and Adaptive Language Models in Sphinx-II.**



Proceedings of ICASSP, Apr 1994, pp I-549 - I-552.

- Rosenfeld, R. et al,  
**Improved Acoustic and Adaptive Language Models for Continuous Speech Recognition.**  
Proc. Spoken Lang. Tech. Wkshp., Mar 1994, pp 106-109.
- Ravishankar, M.,  
**Parallel Implementation of Fast Beam Search for Speaker-Independent Continuous Speech Recognition.**  
Technical Report submitted to Indian Institute of Science, Bangalore, July 1993. postscript.

## Publications in Computer Architecture

---

- Stets, R., Barroso, L., Gharachorloo, K. and Ravishankar, M.  
**Managing Complexity in the Piranha Server-Class Processor Design.**  
Complexity Effective Design Workshop, ISCA, Goteborg, Sweden, Jun. 2001.
- Bisiani, R., and Ravishankar, M.  
**PLUS: A Distributed Shared-Memory System.**  
17th International Symposium on Computer Architecture, May 1990, pp 115-124.
- Bisiani, R., and Ravishankar, M.  
**Programming the PLUS Distributed-Memory System.**  
5th Distributed Memory Computer Conference, Apr 1990, pp 690-696.
- Bisiani, R., Nowatzyk, A., and Ravishankar, M.  
**Coherent Shared Memory on a Distributed Memory Machine.**  
Intl. Conf. on Parallel Processing, Aug 1989, pp I-133 - 141.
- Bisiani, R., and Ravishankar, M.  
**Design and Implementation of the PLUS Multiprocessor.**  
Internal report, School of Computer Science, Carnegie Mellon University, Pittsburgh, Jan. 1991.  
postscript.
- Ravishankar, M.,  
**Parallel Implementation of Fast Beam Search for Speaker-Independent Continuous Speech Recognition.**  
Technical Report submitted to Indian Institute of Science, Bangalore, July 1993. postscript.